

DOCKET NO.: 236664US26RE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF :
NOBUO ISHII, ET AL. : EXAMINER: CHEN, BRET P.
SERIAL NO: 10/625,669 :
FILED: JULY 24, 2003 : GROUP ART UNIT: 1792
FOR: PLASMA PROCESSING :
APPARATUS

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the Notice of Non-Compliant Amendment dated August 27, 2008, please consider the following remarks.

The Notice of Non-Compliant Amendment asserts that Applicants' May 20, 2008 Amendment does not comply with 37 C.F.R. §1.121. The present application is a reissue application, however. Amendments made in reissue applications are not governed by 37 C.F.R. §1.121, but rather are governed by 37 C.F.R. §1.173.

Applicants appreciate the courtesies extended to Applicants' representative during the telephone interviews conducted on September 19, 2008 and September 24, 2008. During the telephone interviews, it was agreed that the Notice of Non-Compliant Amendment was issued in error and would be withdrawn in response to Applicants' written remarks.